

Atty Dkt 7683-074

Applicant or Patentee: Axel ULLRICH, Irmgard SURES and Mikhail GISHIZKY  
 Serial or Patent No.: 08/426,509  
 Filed or Issued: April 21, 1995  
 For: NOVEL MEGAKARYOCYTIC PROTEIN TYROSINE KINASES

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
 (37 CFR 1.9(f) and 1.27(d)] - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act in behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: Max-Planck-Gesellschaft zur Förderung der Wissenschaften, e.V.  
 ADDRESS OF ORGANIZATION: Hofgartenstrasse 2  
 80539 Munich GERMANY

TYPE OF ORGANIZATION:

[X] UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION  
 [] TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501 (c)(3))  
 [] NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED

STATES OF AMERICA (NAME OF STATE: \_\_\_\_\_)

CITATION OF STATUTE: \_\_\_\_\_)  
 [] WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC  
 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA  
 (NAME OF STATE: \_\_\_\_\_)  
 (CITATION OF STATUTE: \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, with regard to the invention entitled NOVEL MEGAKARYOCYTIC PROTEIN TYROSINE KINASES by invention(s) Axel ULLRICH, Irmgard SURES and Mikhail GISHIZKY and described in

[ ] the specification filed herewith  
 [X] application serial no. 08/426,509, filed April 21, 1995  
 [ ] patent no. \_\_\_\_\_ issued \_\_\_\_\_

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization identified above with regard to the above-entitled invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)*

NAME SUGEN, Inc.  
 ADDRESS 515 Galveston Drive  
 Redwood City, California 94063

[ ] INDIVIDUAL [X] SMALL BUSINESS CONCERN [ ] NONPROFIT  
 ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28(b)]

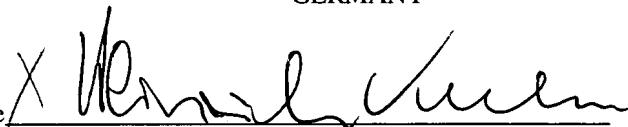
HEREBY DECLARE THAT ALL STATEMENTS MADE HEREIN OF MY OWN KNOWLEDGE ARE TRUE AND THAT ALL STATEMENTS MADE ON INFORMATION AND BELIEFS ARE BELIEVED TO BE TRUE; AND FURTHER THAT THESE STATEMENTS WERE MADE WITH THE KNOWLEDGE THAT WILLFUL FALSE STATEMENTS AND THE LIKE SO MADE ARE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH, UNDER SECTION 1001 OF TITLE 18 OF THE UNITED STATES CODE, AND THAT SUCH WILLFUL FALSE STATEMENTS MAY JEOPARDIZE THE VALIDITY OF THE APPLICATION, AND PATENT ISSUING THEREON, OR ANY PATENT TO WHICH THIS VERIFIED STATEMENT IS DIRECTED.

Name of person signing  
Title of person other than owner  
Address of person signing

Dr. Heinrich Kuhn

Max-Planck-Gesellschaft zur Förderung der Wissenschaften, e.V.  
Hofgartenstrasse 2  
80539 Munich  
GERMANY

Signature



(Dr. Heinrich Kuhn)

Date 31.1.96

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:  Application of: Axel ULLRICH, Irmgard SURES, Mikhail GISHIZKY  
 Patent of:

Serial No.: 08/426,509 Group Art Unit:  
 Patent No.:

Filed: April 21, 1995 Examiner:  
 Issued:

For: NOVEL MEGAKARYOCYTIC PROTEIN Attorney Docket No.: 7683-074  
 TYROSINE KINASES

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
 [37 CFR 1.9(f) and 1.27(c)] - Small Business Concern

Honorable Commissioner of Patents and Trademarks  
 Washington, D.C. 20231

Sir:

I hereby declare that I am

the owner of the small business concern identified below:  
 an official of the small business concern empowered to act in behalf of the concern identified below:  
 Name of concern SUGEN, Inc.  
 Address of concern 515 Galveston Drive  
 Redwood City, California 94063

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the person employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract law have been conveyed to and remain with the small business concern and/or there is an obligation under contract or law by the inventor(s) to convey rights to the small business concern with regard to the invention, entitled by inventor(s) described in

the specification filed herewith  
 application serial no. 08/426,509 filed April 21, 1995  
 patent no. \_\_\_\_\_ issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

FULL NAME Max-Planck-Gesellschaft zur Förderung der Wissenschaften, e.V.  
 ADDRESS Hofgartenstrasse 2  
 80539 Munich GERMANY

INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

\*NOTE: Separate verified statement are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28(b)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, and patent issuing thereon, or any patent to which this verified statement is directed.

Send correspondence to:

PENNIE & EDMONDS  
1155 Avenue of the Americas  
New York, NY 10036-2711

Direct Telephone calls to:  
PENNIE & EDMONDS  
(212) 790-9090

Name of person signing

Stephen Evans-Freke

Title of person other than owner

Chairman and Chief Executive Officer

Address of person signing

SUGEN, Inc.

515 Galveston Drive  
Redwood City, California 94063

Signature



Date

